

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**DAVID ROSENBLIT,**

Plaintiffs,

v.

**CITY OF PHILADELPHIA, et al.,**

Defendants.

**CIVIL ACTION**

**NO. 20-3121-KSM**

**ORDER**

**AND NOW** this 28th day of January, 2021, upon consideration of Plaintiff's Second Motion to Compel Discovery (Doc. No. 29), Defendant Robert Castelli's response brief (Doc. No. 30), Plaintiff's reply brief (Doc. No. 31), and Defendant the City of Philadelphia's response brief (Doc. No. 32), it is **ORDERED** that the motion to compel is **DENIED without PREJUDICE**.

**IT IS FURTHER ORDERED** that upon consideration of Defendant the City of Philadelphia's Motion for Protective Order (Doc. No. 33) and Plaintiff's response brief (Doc. No. 35), the motion for protective order is **GRANTED** as follows:

1. The City of Philadelphia may produce a copy of the Employee Relations Unit and Sheriff's Office Internal Affairs investigatory files related to the complaints of Plaintiff against Robert Castelli, as well as personnel files, for use in this matter. These documents shall constitute **CONFIDENTIAL INFORMATION**.

2. All **CONFIDENTIAL INFORMATION** shall be stamped or marked with a watermark which states, "**CONFIDENTIAL PROTECTED BY COURT ORDER.**"

3. The parties are prohibited from using **CONFIDENTIAL INFORMATION** for any purpose other than this lawsuit, and from disseminating any **CONFIDENTIAL INFORMATION** to third parties.

4. Before filing any document containing information identified as **CONFIDENTIAL**, Plaintiff will provide at least two weeks' notice to Defendants.

5. Nothing in this opinion authorizes the filing of any document under seal. Any party may request by motion that the Court order materials or documents designated **CONFIDENTIAL** be filed with the Court under seal. Nothing in this opinion or any action or agreement of a party under this opinion limits the Court's power to issue orders concerning the disclosure of documents produced in discovery or at trial.

6. The use at trial and admission into evidence of **CONFIDENTIAL INFORMATION** shall be subject to the Court's control.

7. Within thirty days after entry of final judgment or dismissal with prejudice in this matter, including appeals or petitions for review, Plaintiff shall destroy all copies of any **CONFIDENTIAL INFORMATION** produced during the course of this lawsuit.

8. The Court retains the right to allow disclosure of any subject covered by this Order or to modify this Order at any time in the interest of justice.

9. This Order does not prevent disclosure pursuant to any freedom of information law.

**IT IS SO ORDERED.**

*/s/Karen Spencer Marston*

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KAREN SPENCER MARSTON, J.